

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THE 3RD DAY OF APRIL 1998

BEFORE

THE HON'BLE MR. JUSTICE K.H.N.KURANGA

WRIT PETITION NUMBERS 27495 TO 27499 OF 1993

Between:

1. D.M.Ajjaiah, s/o.  
Veeraiah, major,  
Alagilawada,  
Harapanahalli Taluk,  
Bellary District.

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WRIT PETITION NO.27496/1993

2. D.M.Vageeshaiah,  
s/o. Veeraiah, major,  
Alagilawada,  
Harapanahalli Taluk,  
Bellary District.

WRIT PETITION NO.27497/1993

3. D.M.Shambhulingaiah, s/o.  
Veeraiah, major,  
Alagilawada,  
Harapanahalli Taluk,  
Bellary District.

WRIT PETITION NO.27498/1993

4. D.M.Vamadeviah s/o.  
Veeraiah, major,  
Alagilawada,  
Harapanahalli Taluk,  
Bellary District.

WRIT PETITION No.27499/1993

5. D.M.Shivanandiah,  
s/o. Veeraiah, major,  
Alagilawada  
Harapanahalli Taluk,  
Bellary District.

.. Petitioners

(By Sri Gangadhar R. Gurumath for Petrs(Absent)).

And:

1. The State of Karnataka by  
its Secretary to the  
Department of Social Welfare,  
M.S. Buildings, Bangalore-1.

2. The Tahsildar,  
Harapanahalli Taluk,  
Bellary District.

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.. Respondents

(By Sri M.N.Ramanjaneya Gowda, HCGP  
for respondents).

These Writ Petitions are filed under Article 226 of the Constitution praying to quash the impugned Endorsements No.Kandaya Pa.Ja.68/93-94, 70/93-94, 67/93-94, 66/93-94 & 69/93-94 all dated 26-7-1993 - Annexures-D1 to D5 respectively.

These Writ Petitions coming on for Hearing this day, the Court made the following:

O R D E R

The learned counsel for the petitioners is absent when the petitions are called. Heard the learned High Court Government Pleader for respondents.

2. The petitioners have in these petitions sought for quashing of the impugned Endorsements dated 26-7-1993 - Annexures-D1 to D5, issued by the second respondent.

3. The petitioners have stated in the petitions that they applied to the second respondent to issue Scheduled Caste Certificates in their favour stating that they belong to Beda Jangam Caste. The second respondent has issued the Endorsements-Annexures-D1 to D5 stating that such a certificate cannot be issued.

4. This Court in the case of SUMANGALA -v- STATE OF KARNATAKA reported in (I.L.R.1996 Kar.235) has observed that the question as to whether the pe-

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petitioner in that petition belongs to Scheduled Caste or not can be determined only by the State Level Scrutinising Committee constituted under the Karnataka Scheduled Caste, Scheduled Tribes and other Backward Classes (Reservation of Appointment etc.,) Rules, 1992 and accordingly directed the petitioner in that petition to file an application seeking the desired Caste Certificate before the State Level Scrutinising Committee within two weeks from the date of the order and directed the State Level Scrutinising Committee to dispose of the same within three months from the date of filing of the application.

5. In the circumstances, the petitions are disposed of. The petitioners are directed to file <sup>r</sup>an application before the State Level Scrutinising Committee seeking the desired caste certificate, within one month from today. The Committee on receiving of such application is directed to dispose of the same within three months from the date of receipt of the application.

Sd/-  
JUDGE

